UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,919	07/31/2000	Jeffrey B. Thompson	10003696-1	5033

27479	7590	09/08/2004	

COCHRAN FREUND & YOUNG LLC
3555 STANFORD ROAD
SUITE 230
FORT COLLINS, CO 80525

EXAMINER
LAO, SUE X

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/628,919	THOMPSON, JEFFREY B.
Office Action Summary	Examiner	Art Unit	
	S. Lao	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 May 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>21-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>21-25,27-30, 32-34, 36-37</u> is/are rejected.

7)☒ Claim(s) <u>26,31 and 35</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 21-37 are pending. This action is in response to the amendment filed 5/28/2004. Applicant has canceled claims 1-20 and added claims 21-37.

2.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3.   Claims 21, 23, 27, 28, 32 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Jablonski et al (US Pat. 6,272,521).

As to claim 21, Jablonski teaches a method of communicating a serialized object (stream object) in a computer network, comprising:

defining first base-classes (original base class, known class), wherein each base-class of said first base-classes includes an additional-properties portion (original base class data) for extensibility of the respective base-class;

defining a second class that inherits from one of said first base-classes (derived class, extension class, new version of a class that extends from a class in an existing version), wherein said defining a second class includes defining an additional-property element (derived class data, extension fields) within said additional-properties portion of said one of said first base-classes [It is noted that by definition, a derived class subclass modifies/overrides/customizes the parent class' propterties/methods/features];

instantiating a first object of said second class (f, code listing, col. 7, lines 16-18);

serializing (new version stream writer) said first object (stream object 208);

communicating said serialized first object between first (200) and second (216) systems within said computer network (fig. 2); and

creating a second object (older version stream reader) on said second system as an instance of said one of said first base-classes, wherein said creating omits (skip) processing said additional-property element of said additional-properties portion within said serialized first object (skip the extension), see col. 3, lines 27-47; col. 6, lines 25-43; col. 9, line 40 – col. 11, line 24.

As to claims 23, 28, Jabonski teaches said second class is defined on said first system and is not defined on said second system in that the stream receiver/destination system contains the older, instead of the newer, version of the stream reader.

As to claim 27, note discussion of claim 21, and Jablonski further teaches a computer system, comprising:

a first system including first base-class definitions (original base class, known class), wherein each base-class definition comprises an additional-properties portion for extensibility of the respective base-class definition (original base class data); and

a second system including said first base-class definitions (derived class, extension class, new version of a class that extends from a class in an existing version) and a second class definition that inherits from one of said first base-class definitions and that comprises an additional-property element within said additional-properties portion (derived class data, extension fields);

wherein said second system communicates (fig. 2) serializations (new version stream writer) of objects (stream object 208) instantiated according to said second class definition (f, code listing, col. 7, lines 16-18) to said first system and said first system creates objects (older version stream reader, including col. 7, lines 33-42) as instances of said one of said first base-class definitions by omitting processing of said additional-property element of said additional-properties portion within said serializations (skip the extension), see col. 3, lines 27-47; col. 6, lines 25-43; col. 9, line 40 – col. 11, line 24.

As to claim 32, note discussion of claim21, and Jablonski further teaches a method, comprising:

Serializing (new version stream writer) a first object (stream object f, col. 7, lines 16-18) of a first class (derived class, extension class, new version of a class that extends from a class in an existing version) on a first system (200), said first class inheriting from a second class (original base class, known class) that comprises an additional-properties portion (original base class data), said first class defining an additional-property element within said additional-properties portion (derived class data, extension fields);

communicating (fi.g 2) said serialized first object to a second system (216) which does not comprise a definition of said first class [stream receiver system contains the older, instead of the newer, version stream reader], and

creating (older version stream reader) a second object (object containing y, col. 7, lines 33-42) on said second system using said serialized first object (f, col. 7, lines 33-42), said second object being an instance of said second class [inherent to Jablonski], said creating omitting processing of said addition property element within said serialized first object (skip the extension), see col. 3, lines 27-47; col. 6, lines 25-43; col. 9, line 40 – col. 11, line 24.

As to claim 36, Jablonski teaches client and server systems (stream sending and receiving system).

4.   Claims 22, 24, 25, 29, 30, 33, 34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jablonski et al as applied to claim 21 in view of Cowsar et al (US Pat. 5,615,400).

As to claims 22, 37, Cowsar teaches creating extendable object-oriented code (managing code for use by client computers), including using a catalog of first base-classes (class catalog) accessible by said first and second systems (resides in non-volatile memory) and accessing a definition of said second class from a class definition catalog. See fig. 2, col. 4, lines 45-65; col. 5, lines 6-11; col. 12, lines 31-50). Given the teaching of Cowsar, it would have been obvious to include a catalog into Jablonski.

One of ordinary skill in the art would have been motivated to combine the teachings of Jablonski and Cowsar because this would have allowed framework modules / class_libraries to be moved into and out of internal memory, revised and placed in different sections of internal memory (Cowsar, abstract), which provides more efficient memory management (Cowsar, col. 5, lines 34-37) for the configuration and operations of the frameworks of Jablonski.

As to claims 24, 25, 29, 30, 33, 34, Cowsar teaches (col. 3, lines 33-37) type identifier (class ID) to identify first / second classes (classes) (identifies particular, col. 3, lines 16-17), wherein a class / base class (class, base class) is identified (look up

routine) by analyzing the type identifier (class catalog). See col. 4, lines 45-65; col. 5, lines 6-11; col. 12, lines 31-50. Given the teaching of Cowsar, it would have been obvious to include a type identifier into Jablonski. Note discussion of claim 22 for a motivation to combine.

5.   Claims 26, 31, 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the respective base claims and any intervening claims.

6.   Applicant's arguments filed 5/28/2004 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended claims have added limitations not previously recited, thus, requiring a new grounds of rejection.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (703) 305 9678. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

September 3, 2004

SUE LAO
PRIMARY EXAMINER